

APPLICANT(S): BEN-CHORIN, Moshe et al.
SERIAL NO.: 10/017,546
FILED: December 18, 2001
Page 19

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-74 are pending in the application, of which claims 1-46 and 59-74 are withdrawn from consideration.

Claims 47-49 and 52-58 have been rejected.

Claims 50 and 51 have been objected to.

Claims 47-49, 53 and 57 have been amended in this submission. The amendments to the claims add no new matter.

Allowable Subject Matter

In the Office Action, the Examiner stated that claims 50 and 51 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants thank the Examiner for the recognition of allowability of claims 50-51. While reserving the right to do so in the future, Applicants decline at this time to rewrite claims 50 and 51 according to the Examiner's suggestion.

For the reasons set forth below with reference to the Claim Rejections, Applicants assert that claim 47, as amended, is allowable.

APPLICANT(S): BEN-CHORIN, Moshe et al.
SERIAL NO.: 10/017,546
FILED: December 18, 2001
Page 20

The Personal Interview

Initially, Applicants wish to thank the Examiner Charlotte M. Baker for granting and attending the personal interview, with Applicants' Representative, Guy Yonay, Reg. No. 52,388 on September 18, 2007. At the interview, claims 47 and 49 were discussed, as was the cited references Lind et al. (US 5,999,153), Conner et al. (US Re 36,654) and Holub et al. (US 6,459,425). The distinctions between the claims and the cited prior art were discussed.

Claim Objections

In the Office Action, the Examiner objected to claim 48 because of alleged informalities. Claim 48 has been amended in order to cure these informalities. Accordingly, Applicants request withdrawal of the objection.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 47-49 and 52-58 under 35 U.S.C. § 103(a), as being unpatentable over Lind et al. (US 5,999,153) in view of Conner et al. (US Re 36,654) and Lin et al. (US 6,757,428) and further in view of Holub et al. (US 6,459,425). Applicants respectfully traverse this rejection in view of the remarks that follow.

The Lind et al. reference discloses subtractive color filters, which absorb a range of light wavelengths and transmit the color of the filter. The Lind reference teaches a stack of pigmented layers, each of which absorbs an amount of colored light. Therefore, Lind teaches a subtractive combination of colors. Accordingly, the Examiner has rightly stated in the Office action that Lind does not specifically address additive linear combination. Moreover, Lind teaches away from additive linear combination of colors by teaching a stack of pigmented layers, each of which absorbs an amount of colored light, i.e. a subtractive combination of colors.

APPLICANT(S): BEN-CHORIN, Moshe et al.
SERIAL NO.: 10/017,546
FILED: December 18, 2001
Page 21

As noted by the Examiner in the Office action, Lind et al. discloses (at col. 4, lines 48-50) that "any combination and number of colors and layers can be utilized to generate color filters both of the additive color and subtractive color variety". However, this portion only teaches that the colors used in the stacked device disclosed may be additive color. There is no teaching of an additive combination of colors, and in fact, an additive combination of colors would render nugatory the essence of Lind's invention.

Additionally, Lind teaches away from "said at least four color filters are arranged between said light source and said viewing screen such that light emitted by said light source passes through a single one of said color filters before reaching the viewing screen", as recited in amended claim 47, by disclosing that "the display layers include a glass substrate 21 with a filter stack 22, consisting of a plurality of pigmented layers" (col. 3, line 66 to col. 4, line 1), i.e. a stack of pigmented layers through which the light passes.

The Conner et al. reference also teaches subtractive color filters:

The Lin et al. reference generally describes different known 3-D color spaces.

Holub is not relevant to the subject matter of this invention, but discloses a System for automatic color calibration, and in particular:

A system for automatic color calibration for a color display is provided having an assembly of a member adjacent the outer periphery of the screen of the display and a color measuring instrument coupled to the member. The system is particularly useful at a site or node of a network of sites or nodes for distributing and controlling color reproduction. The color measuring instrument includes a sensor spaced from the screen at an angle with respect to the screen for receiving light from an area of the screen. Methods are also provided for maintaining calibration of a color display using a color measuring instrument. Apparatuses are further provided for checking the calibration of a color measurement instrument having a spectrograph for measuring color.

The Holub et al. reference discloses that "compatibility with system 100 requires that the spectral sensitivity of the arrangement be a linear combination of the human color matching functions with acceptable precision" (column 18, lines 10-13). This is because in Holub the intention is to create a system having gamut as close as possible to the set of all humanly perceivable colors, and therefore the system attempts to imitate the human vision process, in

APPLICANT(S): BEN-CHORIN, Moshe et al.
SERIAL NO.: 10/017,546
FILED: December 18, 2001
Page 22

the sense that colors are produced by additive combinations of primary colors. For example, Holub discloses that "SOMs 13 have the capability of measuring color as humans see it" (column 14, lines 38-40), "the circuitry implements calibration of rendering devices to a common, human perceptible language of color" (column 15, lines 43-46) and:

a feature of system 100 is that it compensates for differences in the gamuts of different devices. As described earlier, a gamut is the subset of humanly perceivable colors that may be captured or rendered by a device. The preceding definition implies that the ideal or limiting gamut is the set of all colors that a normal human can see. (Holub, column 16, lines 38-43)

However, this characteristic of Holub cannot be implemented in Lind and stands in contradiction to the teaching and intention of Lind, which discloses:

the selection of the particular colors for the pigmented acrylic or pigmented photoresist layer 34 can be made keeping in mind the particular inks and paper to be used in the final printing process, as well as the type of printing process (e.g., gravure, offset, flexography, etc. . .). Generally, if a set of selected printing inks or colors are to be used to reproduce an image, a plurality of display elements in the form of the pigmented layers 23 are selected each for displaying a color substantially spectrally matched to one of the set of printing colors. (Lind, column 4, lines 8-17)

Therefore, the intention in Lind is to imitate the color printing process which creates colors by filtering light through layers of ink. This is equivalent to the stack of pigmented layers taught by Lind. This could not be done by additive combinations of primary colors. Therefore, the "linear combination of the human color matching functions", as recited in Holub, cannot be implemented in Lind, and in fact Lind teaches away from this.

Therefore, none of Lind, Conner, Lin or Holub, alone or in combination, teach or suggest the elements of claim 47, as amended, or, for that matter, amended claim 49.

Accordingly, claim 47, and claims 48, 49 and 52-58, which depend directly or indirectly from claim 47 and therefore include all the limitations of the claim, are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to amended independent claim 47 and to claims 48, 49 and 52-58 dependent thereon.

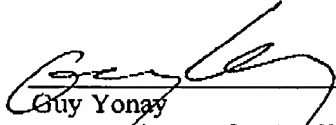
APPLICANT(S): BEN-CHORIN, Moshe et al.
SERIAL NO.: 10/017,546
FILED: December 18, 2001
Page 23

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


Guy Yonay
Attorney/Agent for Applicant(s)
Registration No. 52,388

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Pearl Cohen Zedek Latzer, LLP
1500 Broadway, 12th Floor
New York, New York 10036
Tel: (646) 878-0800
Fax: (646) 878-0801